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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/656,226	TSUCHIYA ET AL.	
	Examiner Theresa Trieu	Art Unit 3748	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the amendment filed on September 29, 2005.
2.  The allowed claim(s) is/are 1-14.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

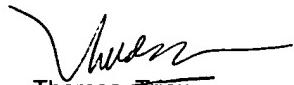
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.



Theresa Trieu  
Primary Examiner  
Art Unit: 3748

### **EXAMINER'S COMMENT**

This Office Action is responsive to the applicants' amendment filed on September 29, 2005.

Claims 1-3 have been amended. Thus, claims 1-13 are pending in this application.

#### *Election/Restrictions*

The election of the species of Figures 1 and 2 filed on April 22, 2005 is acknowledged; however, rendered moot in view of the allowance of a generic claim. Accordingly, the restriction requirement mailed on March 22, 2005 is hereby withdrawn. In view of the allowance of the generic claims 1 and 13, non-elected claim 14 have been rejoined with their base claim. Claims 1-14 are allowed.

#### *Allowable Subject Matter*

The following is an examiner's statement of reasons for allowance:

Regarding claims 1 and 2: the prior art fails to disclose or render obvious the claimed combination including: a further/second frame being arranged between first frame and an orbiting scroll, and a central space and an outer peripheral space are sealed off by a seal portion, which formed between an end surface of a shaft support of the orbiting scroll and the further frame; an oil feed system being supplied to the shaft support for the crankshaft and the shaft support of the orbiting scroll and a balance weight being arranged in a space between an underside of the further frame and the first frame.

Regarding claim 3: the prior art fails to disclose or render obvious the claimed combination including: a space formed by the first frame, the stationary scroll member, and the orbiting scroll member; a second frame provided in the space to be separable from the first

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frame; a seal portion formed between the orbiting scroll member and the second frame to divide the space into a central space substantially under a discharge pressure and an outer peripheral space under a lower pressure than that in the central space, an oil feed system being supplied to the shaft support for the crankshaft and the shaft support of the orbiting scroll member, a lower space formed between an underside of the second frame and the first frame to be communicated to the central space communicated in pressure to the oil feed system, and a balance weight arranged in the lower space.

Regarding claim 4: the prior art fails to disclose or render obvious the claimed combination including: a second frame separating from the first frame and defining the seal portion between second frame and the end surface of the shaft support of the orbiting scroll member; a lower space being formed between an upper portion of the shaft support of the first frame and a lower portion of the second frame to be communicated in pressure to the central space and to be arranged relative to the outer peripheral space under the lower pressure with the seal portion therebetween and a balance weight being arranged in the lower space.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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***Communication***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa Trieu whose telephone number is 571-272-4868. The examiner can normally be reached on Monday-Friday 8:30am- 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas E. Denion can be reached on 571-272-4859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TT  
October 15, 2005



Theresa Trieu  
Primary Examiner  
Art Unit 3748